

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 MAR 11 AM 10:51
08 MJ 0776

UNITED STATES OF AMERICA,

Plaintiff,

v.

Eder PEDROTTI-Juarez

Defendant.

Magistrate Case No.

COMPLAINT FOR VIOLATION OF:

DEPUTY

Title 8, U.S.C., Section 1326 -

Deported Alien Found in the

United States

The undersigned complainant, being duly sworn, states:

On or about, **June 20, 2007**, within the Southern District of California, defendant, **Eder PEDROTTI-Juarez**, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

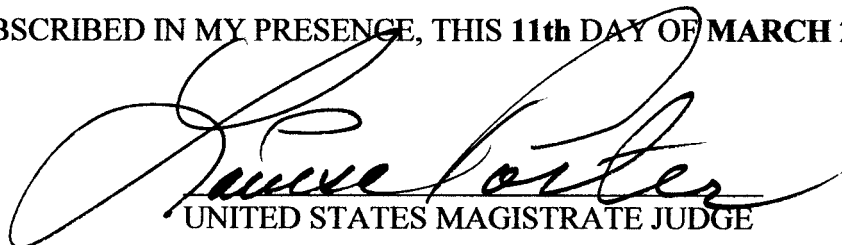


SIGNATURE OF COMPLAINANT

Deportation Officer

U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **11th** DAY OF **MARCH 2008**.



UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

On June 20, 2007, the defendant identified as "**Eder PEDROTTI-Juarez**" was arrested by Officer F. Dragula of the San Diego Police Department for various State violations and booked into county jail. While in the custody of county jail, an Immigration Enforcement Agent determined the defendant to be a citizen of Mexico and placed an Immigration Detainer pending his release from county jail.

On Monday, March 10, 2008, the defendant was referred to the custody of Immigration and Customs Enforcement (ICE). A Deportation Officer conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico, who has been deported or removed from the United States.

A thorough review of immigration computer database checks revealed the defendant was most recently ordered removed from the United States by an Immigration Judge on or about November 4, 2003, and most recently removed to Mexico on or about November 4, 2003 via the Otay Mesa, California Port of Entry. Further records indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) and Automated Fingerprint identification System (IAFIS) were utilized and compared with the defendant's fingerprints. The results confirmed the defendant's identity as Eder PEDROTTI-Juarez, a citizen and national of Mexico previously removed from the United States to Mexico. A photograph and a set of fingerprints were also obtained from the Alien Registration File, which further confirmed the defendant's identity.